

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

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In re:

PROMESA
Title III

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

No. 17 BK 3283-LTS

THE COMMONWEALTH OF PUERTO RICO,
et al.,

(Jointly Administered)

Debtors.¹

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ORDER DENYING MOTION FOR RECONSIDERATION

Before the Court is the *Motion Requesting to Vacate Judgment for Fraud Upon the Court and Other Reliefs* (docket entry no. 634 (the “Motion”)) filed by Javier Mandry-Mercado, pro se (“Movant”), which the Court construes as a motion for reconsideration by which Movant requests that this Court reconsider its opinion and order granting relief from the automatic stay to creditor Sucesión Pastor Mandry Mercado (docket entry no. 600 (the “Mercado Opinion”)) on the grounds that Maria E. Vicéns Rivera, the attorney who filed the motion (docket entry no. 305 (the “Mercado Motion”) requesting the relief sought in the Mercado

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); and (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686). (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Opinion, provided false or misleading information to the Court. Ms. Vicéns Rivera, in response to the Motion, proffers that her appearance was authorized by the majority of the members of the estate she represented in noticing her appearance and filing the Mercado Motion. Having considered the submissions of the parties and upon review of the materials filed in connection with the Mercado Motion, the Court finds no basis to strike the appearance of, or sanction, Ms. Vicéns Rivera, and no basis in law or fact to reconsider the Mercado Opinion, and accordingly the Motion is denied.² This Order resolves docket entry no. 634.

SO ORDERED.

Dated: July 21, 2017

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge

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² Movant also requests relief relating to proceedings in the courts of the Commonwealth of Puerto Rico. This Court does not have jurisdiction to provide the relief requested, and that aspect of the Motion is denied accordingly.